

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

BERNARD S. REID,	:	
	:	Civil Action No. 12-5372 (MAS)
Petitioner,	:	
	:	
v.	:	MEMORANDUM ORDER
	:	
GARY LANIGAN,	:	
	:	
Respondent.	:	

THIS MATTER comes before the Court by letter application filed by Petitioner, Bernard S. Reid, seeking to re-open his case. (ECF No. 3.) It appearing that:

1. On August 27, 2012, Petitioner filed a habeas application challenging his 1981 New Jersey state judgment of conviction, without submitting the requisite filing fee or a complete application to proceed *in forma pauperis* ("IFP"). (ECF No. 1.) Consequently, this Court issued an Order on March 13, 2013, administratively terminating the action. Petitioner was informed by the Order that he could re-open his case upon submission of the filing fee or a complete IFP application. (ECF No. 2.)

2. On April 3, 2013, Petitioner submitted a letter application seeking to re-open his case and informing the Court that his IFP application was forthcoming but delayed due to problems with prison officials processing his request for an account statement. (ECF No. 3.) Petitioner did not submit the \$5.00 filing fee or an IFP application with his motion.

3. To date, Petitioner has failed to submit the \$5.00 filing fee or an IFP application as directed by this Court's March 13, 2013. Moreover, Petitioner has failed to inform the Court as

to the reasons for his delay in doing so. Accordingly, this action will be dismissed without prejudice and taken off the Court's active docket.

THEREFORE, BASED ON THE FOREGOING,

IT IS ON THIS 30th day of May, 2014

ORDERED that the Clerk of the Court SHALL RE-OPEN this case for consideration of Plaintiff's application to re-open his case; and it is further

ORDERED that Plaintiff's action is hereby DISMISSED WITHOUT PREJUDICE; and it finally

ORDERED that the Clerk of the Court SHALL RE-CLOSE this matter accordingly.



MICHAEL A. SHIPP
United States District Judge